

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, NOVEMBER 2, 2000
8:15 A.M.**

Commissioners Present: Kathy Campbell, Chair
Larry Hudkins, Vice Chair
Linda Steinman
Bernie Heier
Bob Workman

Others Present: Kerry Eagan, Chief Administrative Officer
Dave Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Ann Taylor, County Clerk's Office

AGENDA ITEM

**1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY,
OCTOBER 26, 2000**

MOTION: Steinman moved and Hudkins seconded approval of the Staff Meeting minutes of October 26, 2000. Steinman, Hudkins, Heier and Campbell voted aye. Workman was absent from voting. Motion carried.

Workman arrived at the meeting.

2 ADDITIONS TO THE AGENDA

- A. County Board Table for Martin Luther King Breakfast, January 12, 2001
- B. Article in the Sunrise EquiTherapy Newsletter (Exhibit A)
- C. Request to Transfer a Psychologist Position in the Crisis Center to a Case Manager Position (Exhibit B)
- D. Microcomputer Request from Public Defender - \$219.52 from Public Defender's Budget for Two (2) Memory Modules (Exhibit C)
- E. Schedule On-Site Demonstration of a Sheriff Patrol Vehicle
- F. One and Six Year Road and Bridge Improvement Program

MOTION: Steinman moved and Heier seconded approval of the additions to the agenda. Steinman, Heier, Workman, Hudkins and Campbell voted aye. Motion carried.

ADDITIONS TO THE AGENDA

- A. County Board Table for Martin Luther King Breakfast, January 12, 2001

The Board requested additional information regarding the event.

- B. Article in the Sunrise EquiTherapy Newsletter

Campbell read the following excerpt from an article published in *Bits & Pieces*, the Sunrise EquiTherapy newsletter:

Unfortunately there are certain individuals in the Lincoln/Lancaster County Board who have long opposed the Agricultural Society, the Lancaster Event Center, and Sunrise EquiTherapy. It was decided by the Sunrise Board of Directors that the program should be removed from the political overtones and bad publicity that a few people have brought to the Event Center.

It is sad to note that these few individuals have their own agendas, some being politically based, which have jeopardized the needs of those individuals with special needs by diminishing their hope of a permanent and specialized facility for equine based education and therapy.

Hudkins said Charles Willnerd, Lancaster County Agricultural Society Building Committee Chair, had indicated to him that the Ag Society understood this was a controversial issue and had voluntarily pulled the application.

Steinman remarked that her concerns were based on the contract.

Campbell said she did not believe the contract was in the interest of the Ag Society.

Heier said he was concerned with where the line would be drawn in terms of commitments to non-profit organizations.

Workman and Hudkins indicated that they had not taken a position on the issue.

Campbell agreed to contact Julie Wood, Sunrise EquiTherapy Director, and tell her the Board has been apprised of the article and indicate to her that the article does not reflect the intent of any of the questions that were raised by the Board regarding the contract.

3 LR 334, TAX EQUALIZATION AND REVIEW COMMISSION (TERC)

- Mike Thew, Chief Deputy County Attorney; Robin Hendricksen, Chief Administrative Deputy Assessor; Gordon Kissel, Legislative Consultant

Mike Thew, Chief Deputy County Attorney, said the Nebraska Legislature's Revenue Committee will hold a hearing on November 15th on LR334, an interim study to develop and examine ways in which the taxpayer appeal process through the Tax Equalization and Review Commission (TERC) may be made more taxpayer friendly. Issues that will be addressed include:

- < The number, qualifications, and duties of the members of TERC
- < The burden of proof - Should it be different for individual protests versus equalization versus Agricultural and Horticultural Land Valuation Board (AHLVB) decisions, versus county petitions, versus sales roster disputes?
- < Adjustments of value by defined areas based on location or character of the real property
- < The statewide plan of equalization - Is it needed? What is its purpose? How formal should it be? How adversarial? Who should do it?
- < The process regarding individual protests - In what ways should we simplify the process for taxpayers? Should there be alternative processes?

Thew said testimony on LB 1043, which was the genesis for the interim study, alleged that TERC was not "user friendly". He said this may be based in part on the misconception that TERC was designed to be a "user advocate". Thew said many large states have separate tax courts, which is essentially TERC's role. He added that TERC's members have developed a great deal of expertise in the tax law area and understand the implications of their decisions on other aspects of the tax system.

Thew said the rules allow for cases to be heard by individual members of that body, although that option has never been exercised. He explained that the commissioner hearing the case would make a recommendation to the full body, which would review the evidence and decide the case. TERC could still identify cases with significant issues that should be heard by the entire body. Thew suggested that this option would make better use of the body's time and would be less intimidating for the individual making the appeal.

Campbell said she would prefer that a master system be used, rather than having individual commissioners hear the appeals.

Robin Hendricksen, Chief Administrative Deputy Assessor, said it is crucial that the burden of proof not be lessened.

Thew said it has also been suggested that TERC serve as the final authority, if both sides agree. He said this may be appropriate for residential appeals, but not commercial appeals.

Hudkins said the Nebraska Association of County Officials (NACO) plans to support TERC at the hearing.

Gordon Kissel, Legislative Consultant, suggested that NACO may wish to address the issue of statewide equalization.

Thew said another crucial issue is the ability to adjust values by market area.

Campbell said she is concerned with the backlog of cases and said that issue should also be raised at the hearing.

The Board authorized Thew and Hendricksen to provide testimony at the hearing.

In response to a question from Campbell, Thew said a hearing on proposed regulations dealing with greenbelt is scheduled for November 29th.

Hendricksen said Catherine Lang, Property Tax Administrator, has informed him that the proposed regulations will eliminate the way Lancaster County values agricultural property. He added that Lang wants to keep TERC out of the appeal process. Further discussion of this issue was scheduled on the November 16th Staff Meeting agenda.

4 ACCESS 2000 - Sue Eckley, Workers' Compensation & Risk Management Manager; Dave Kroeker, Budget & Fiscal Officer; Bill Kostner, City Risk Manager; Terry Lowe, Information Services Project Manager

Bill Kostner, City Risk Manager, explained that the software system for the workers' compensation claims is outdated and said an upgrade is proposed for both the City and County. He reported that the City budgeted \$20,000 this year for this purpose. Kostner also stated that outside software systems are projected to cost in excess of \$100,000.

Terry Lowe, Information Services Project Manager, presented an estimate of costs and a general time line for each module (Exhibit D).

Sue Eckley, Workers' Compensation & Risk Management Manager, said the County's costs can be run through the Workers Compensation Fund.

Dave Kroeker, Budget & Fiscal Officer, said there are also funds available in General Liability to help fund the expense.

Lowe explained that the current R:BASE System is no longer supported by the company and only one programmer on staff is knowledgeable about the system. He said other R:BASE applications within the City and County have been identified and will need to migrate as well.

Steinman said the Board needs to be appraised of these areas for planning purposes.

Campbell asked why the expense was not included in the budget.

Eckley explained that Information Services did not bring it to her attention until after the budget was submitted.

Campbell asked whether it was included in development dollars that are built into Information Services' budget.

Lowe said not to his knowledge. He added that the project could be done in phases.

MOTION: Hudkins moved and Workman seconded to authorize Information Services to proceed with the project and asked Dave Kroeker, Budget and Fiscal Officer, to determine the appropriate funding source. Hudkins, Workman, Steinman, Heier and Campbell voted aye. Motion carried.

5 WORKFORCE INVESTMENT UPDATE; STRATEGIC DEVELOPMENT GRANT OPPORTUNITY FOR LANCASTER, SAUNDERS, SEWARD AND CASS COUNTIES - Jan Norlander-Jensen, Community Development Manager; Jim Linderholm, Greater Lincoln Workforce Investment Board Chair

Workforce Investment Update

Jim Linderholm, Greater Lincoln Workforce Investment Board Chair, provided a brief update on the activities of the Greater Lincoln Workforce Investment Board and One Stop Employment Solutions for Lancaster and Saunders Counties, the local one stop center located in Gold's Galleria (Exhibit E). He noted that outreach has been a concern and the Lincoln Action Program (LAP) recently received a grant to provide this service.

Strategic Development Grant Opportunity for Lancaster, Saunders, Seward and Cass Counties

Linderholm said one of the roles of the Greater Lincoln Workforce Investment Board is to scan the community for emerging trends and issues. He said, as part of this effort, the Greater Lincoln Workforce Investment Board would like to apply for a \$50,000 Community Audit Grant from the U.S. Department of Labor for the purpose of engaging local stakeholders in taking a broad look at the needs of the community and the character and direction of the regional economy defined as the four county area of Lancaster, Saunders, Seward and Cass (See Exhibit E). Linderholm asked the County Board to provide letter of support for the grant application (Exhibit F).

Jan Norlander-Jensen, Community Development Manager, said the Greater Lincoln Workforce Investment Board is working with various stakeholders, such as the Nebraska Department of Labor, Bureau of Business Research, Chamber of Commerce, Lincoln Partnership for Economic Development, and the Nebraska State Employers Committee in seeking the grant. She added that a letter of support from the Greater Nebraska Workforce Investment Area Board is anticipated.

Norlander-Jensen said a demonstration of local commitment to cost sharing, either through in-kind or funds, is required as part of the application process. She said the Greater Lincoln Workforce Investment Board is considering committing a portion of the Workforce Investment Act funds to support the strategic planning effort. In-kind staffing costs are provided through the City General Fund.

Norlander-Jensen said the baseline community audit will look at demand and supply for the four county area and what is offered in the employment and training resource base. She said the local strategic plan could be expanded to identify industry clusters in the area that are critical to maintaining the local economy and which industry clusters the community is willing to promote and support.

Linderholm noted that information from the community audit will be shared with Seward and Cass Counties, which are part of the Greater Nebraska Workforce Investment Area.

MOTION: Steinman moved and Heier seconded approval of a letter in support of the Community Audit Grant.

Workman inquired about the cost of overhead versus direct client services.

Norlander-Jensen said administrative costs are limited to 10 percent under the Workforce Investment Act. She added that the system is being supported administratively through City General Fund.

Workman reported on a conversation he recently had with Dr. Bart Hultine, Greater Nebraska Workforce Investment Area Board, and suggested that better collaboration between the two entities is needed.

ON CALL: Steinman, Heier, Hudkins and Campbell voted aye. Workman voted no. Motion carried.

6 FINANCING FOR CORRECTIONS VAN - Dave Kroeker, Budget & Fiscal Officer

Dave Kroeker, Budget & Fiscal Officer, said Corrections budgeted \$12,000 for a new van and planned to finance the remaining \$10,900 with a Nebraska Association of County Officials (NACO) lease. He recommended that the full amount be funded out of the Corrections Budget, with a transfer of appropriations at year end to cover the expense.

MOTION: Hudkins moved and Heier seconded to pay for the van out of the Corrections Budget. Hudkins, Heier, Steinman, Workman and Campbell voted aye. Motion carried.

7 DEPUTY CHIEF ADMINISTRATIVE OFFICER POSITION DESCRIPTION; COMBINED OMNIBUS BUDGET RECONCILIATION ACT (COBRA) ADMINISTRATOR - Georgia Glass, Personnel Director; John Cripe, Classification and Pay Manager; Diane Staab, Deputy County Attorney

COBRA Administrator

Georgia Glass, Personnel Director, explained that Bill Thoreson, Benefits Specialist, currently administers Combined Omnibus Budget Reconciliation Act (COBRA) notification and collection for the City and County. She proposed that this duty be transferred to PayFlex Systems USA, Inc. for a monthly administration cost of \$.60 per employee. Glass said responsibility for sending out certificates issued under the Health Insurance Portability and Accountability Act (HIPAA) could also be transferred to PayFlex.

Diane Staab, Deputy County Attorney, said PayFlex will assume liability for any negligence on their part. The County would be liable for any failure to notify PayFlex of an employee separation. She said the County would still have a responsibility to make sure that PayFlex is following the law and that forms are kept current.

Staab said PayFlex currently administers the Flexible Employee Benefit Account (FEBA) for the City and County and offered to administer COBRA as well. Since administration is a professional service, a Request for Proposals (RFP) is not technically required.

Glass noted that the City Attorney has requested that two other COBRA administration providers be contacted to gauge interest in administering the program.

Hudkins questioned whether it would be better to hire an assistant for Thoreson.

Glass said an assistant was proposed in the budget, but was cut.

The Board asked Glass and Staab to report back once the informal bids have been received.

Deputy Chief Administrative Officer Position

John Cripe, Classification and Pay Manager, distributed copies of *Lancaster County Deputy Chief Administrative Officer* (Exhibit G).

Campbell requested that the first paragraph under EXAMPLES OF WORK PERFORMED be revised to include grants in the list of special projects.

MOTION: Steinman moved and Heier seconded approval of the job description, with the noted change. Steinman, Heier, Workman and Campbell voted aye. Hudkins voted no. Motion carried.

Eagan said advertisement of the position will be placed in the National Association of County Officials (NACo) bi-weekly newsletter and the Lincoln Journal Star and Omaha World Herald newspapers. The job will also be posted on the Internet website.

Brief discussion took place on salary, with a recommendation from Glass that a salary range be listed in the advertisement.

Board consensus to set the salary range at the November 9th Staff Meeting. The Personnel Department will provide the salaries of the deputy elected officials and deputy directors to the Board prior to that meeting.

RETURNING TO ADDITIONS TO THE AGENDA

- C. Request to Transfer a Psychologist Position in the Crisis Center to a Case Manager Position (Exhibit B)

Eagan explained that the change will not impact the budget.

Steinman remarked that the proposed transfer fits in with the director's overall plan to restructure the department.

MOTION: Steinman moved and Heier seconded approval of the request. Steinman, Heier, Workman, Hudkins and Campbell voted aye. Motion carried.

- E. Schedule On-Site Demonstration of a Sheriff Patrol Vehicle

The Board scheduled the demonstration on the November 16th Staff Meeting agenda.

F. One and Six Year Road and Bridge Improvement Program

The Board requested that Don Thomas, County Engineer, be scheduled to provide further explanation of the following:

- < Sequencing on North 162nd Street
- < A project involving Northwest 1st and Rock Creek Road
- < Availability of traffic count information

The Board asked the Sheriff's Department to monitor speeding on North 162nd Street.

ADDITIONS TO THE AGENDA

MOTION: Steinman moved and Workman seconded to include topics for the monthly meeting with the Mayor on the agenda. Steinman, Workman, Heier, Hudkins and Campbell voted aye. Motion carried.

H. Monthly Meeting with the Mayor

The following topics were suggested:

- < Letter from City Ombudsman regarding 98th Street
- < Request for additional turn lane on 9th Street turning onto "P" Street
- < Letter from Lincoln Independent Business Association (LIBA) regarding joint fleet maintenance
- < City Council attendance at City/County Common meetings

8 ACTION ITEMS

A. Letters Terminating Contract with Griffin Grant Writing and Notifying Performance Bond Company of Default

MOTION: Hudkins moved and Steinman seconded to authorize the County Attorney's Office to send letters terminating the contract with Griffin Grant Writing and notifying the performance bond company of the default. Hudkins, Heier, Workman, Steinman and Campbell voted aye. Motion carried.

B. Request from Norm Agena, County Assessor, to Purchase Three (3) Motor Vehicles

MOTION: Steinman moved and Hudkins seconded to approve the purchase of one vehicle for the County Assessor, with a review of the request for two additional vehicles at mid-year. Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

ADDITIONS TO THE AGENDA

Eagan noted receipt of a microcomputer request from the County Attorney (Exhibit H).

MOTION: Heier moved and Hudkins seconded approval of the addition to the agenda. Heier, Hudkins, Steinman, Workman and Campbell voted aye. Motion carried.

RETURNING TO ACTION ITEMS

C. Microcomputer Requests:

1. Families First & Foremost (F³) - \$9,836.50 from F³'s Budget for Five (5) Pentium III's, etc.
2. County Treasurer - \$2,382.00 from County Treasurer's Budget for Ten (10) Scanners
3. County Extension - \$823.28 from County Extension's Budget for Two (2) 17" Monitors and Video Cards
4. Public Defender - \$219.52 from Public Defender's Budget for Two (2) Memory Modules
5. County Attorney - \$1,295.95 from County Attorney's Budget for One (1) LaserJet Printer

Eagan noted that the request from Families First & Foremost (F³) has been revised to include one additional Pentium III.

MOTION: Steinman moved and Heier seconded approval of the microcomputer requests. Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

9 CONSENT ITEMS

- A. Authorize Kerry Eagan, Chief Administrative Officer, to Sign Six (6) Proxies for Aetna Life Insurance and Annuity Company

MOTION: Steinman moved and Heier seconded approval. Steinman, Heier, Hudkins, Workman and Campbell voted aye. Motion carried.

10 ADMINISTRATIVE OFFICER REPORT

- A. Request from County Assessor to Produce Map of County-Owned Property

Eagan presented correspondence from Urban Development indicating that the County owes \$654.64 for a joint City/County property mapping project (Exhibit I). He noted that work on the project was not completed and no product received, to date.

Eagan suggested that the County Assessor's Office be asked to devote resources to development of a Geographic Information System (GIS) map that shows all county owned property.

The Board concurred.

B. Letter from Brian Pillard, Records & Information Manager, Regarding County Records Center Space

The Board suggested that Brian Pillard, Records & Information Manager, outline future needs in a letter to the Public Building Commission.

C. Clean-Up of Illegal Dumping on County Roads

The Board requested that discussion of the issue be scheduled with Don Thomas, County Engineer, and representatives of the Lincoln/Lancaster County Health Department on a future Staff Meeting agenda.

D. Follow-Up on Request from Vincent Valentino, Attorney, for Reconsideration of Denial of Voucher No. 621-355721 (Budget Claim from Kelly Moore Guenzel Handlos, Clerk of the District Court)

Campbell and Eagan will delineate the legal questions in a letter to the County Attorney.

E. Monthly Detention Facility Meeting

Eagan gave a brief progress report noting the following:

- < Well fields are completed
- < Security doorframes were delivered
- < Storm sewers are in

Hudkins said the City Forester indicated to Don Killeen, County Property Manager, that street trees will need to be provided on the frontage road between Radcliffe Drive and Dairy Lane, due to the re-plat.

F. Request to Vacate County Property Located Near West Raymond Road and Northwest 126th Street

Eagan said the property in question is actually owned by the Nebraska Department of Game and Parks.

G. Burial Contracts with Mortuaries

Eagan reported that the existing contracts have expired.

Campbell said the General Assistance Committee will look at the issue and will report back.

11 EMERGENCY ITEMS AND OTHER BUSINESS

The Board scheduled a Staff Meeting on Tuesday, November 21st at 9 a.m. in Room 113 of the County-City Building.

12 ADJOURNMENT

By direction of the Chair, the meeting was adjourned.

Bruce Medcalf
Lancaster County Clerk